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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

LINDSAY KAMAKAHI and JUSTINE LEVY,
individually, and on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

AMERICAN SOCIETY FOR REPRODUCTIVE
MEDICINE and SOCIETY FOR ASSISTED
REPRODUCTIVE TECHNOLOGY.

Defendants.

Case No. 3:11-CV-1781 JCS

**JOINT STIPULATION AND [~~PROPOSED~~]
ORDER TO SHORTEN TIME FOR
HEARING ON PLAINTIFFS' UNOPPOSED
MOTION FOR (1) PRELIMINARY
APPROVAL OF SETTLEMENT; (2)
CERTIFICATION OF CLASS FOR
SETTLEMENT PURPOSES AND (3)
APPROVAL OF CLASS NOTICE**

1 WHEREAS, on January 29, 106, Plaintiffs filed a Motion seeking (1) preliminary approval of a
2 complete settlement of this matter (“Settlement”); (2) preliminary certification of a Settlement Class;
3 and (3) approval of class notice (“Motion”); and

4 WHEREAS, no party opposes this Motion; and

5 WHEREAS, Defendants do not intend to file a response to the Motion; and

6 WHEREAS, this Court has scheduled a Case Management Conference at 2:00 pm on February
7 12, 2016; and

8 WHEREAS, this Court hears civil motions on Fridays at 9:30 am; and

9 WHEREAS, the parties believe that holding the hearing on the Motion on February 12, 2016 –
10 thus accelerating preliminary approval of the Settlement, certification of the Settlement Class,
11 determination of the adequacy of the proposed notices, the provision of notice to the Settlement Class,
12 and the date of any final approval hearing – will promote the just, speedy, and inexpensive
13 determination of the Action; and

14 WHEREAS, the parties therefore request that the Motion be heard during the Court’s regular
15 motions hearing at 9:30 am on Friday, February 12, 2016 in lieu of the Case Management Conference
16 scheduled for that date; and

17 WHEREAS, no previous time modification has been made in connection with the hearing on the
18 Motion; and

19 NOW, THEREFORE, under Civil Local Rules 6-1(b) and 6-2, the parties stipulate to the
20 following, subject to Court approval:

21 1. The hearing on Plaintiffs’ motion for (1) preliminary approval of a complete settlement
22 of this matter; (2) preliminary certification of a Settlement Class; and (3) approval of class notice is set
23 for hearing on **FEBRUARY 12, 2016 at 9:30 am** in place of the Case Management Conference
24 scheduled for 2:00 pm on that date ; and

25 2. Defendants shall file no response to Plaintiffs’ Motion.

26 Dated: January 29, 2016

Respectfully Submitted,

FINKELSTEIN THOMPSON LLP

By: /s/ Rosemary M. Rivas
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Attorneys for Defendants

*American Society for Reproductive Medicine and Society
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CERTIFICATION

I, Rosemary M. Rivas, am the ECF User whose identification and password are being used to file this JOINT STIPULATION AND [PROPOSED] ORDER TO SHORTEN TIME FOR HEARING ON PLAINTIFFS' UNOPPOSED MOTION FOR (1) PRELIMINARY APPROVAL OF SETTLEMENT; (2) CERTIFICATION OF CLASS FOR SETTLEMENT PURPOSES AND (3) APPROVAL OF CLASS NOTICE. Pursuant to Civil L.R. 5-1(i), I attest that Megan Dixon has concurred in this filing.

/s/ Rosemary M. Rivas

Rosemary M. Rivas

[PROPOSED] ORDER

PURSUANT TO STIPULATION,

1. The hearing on Plaintiffs' motion for (1) preliminary approval of a complete settlement of this matter; (2) preliminary certification of a Settlement Class; and (3) approval of class notice is set for hearing on **FEBRUARY 12, 2016 at 2:00 pm** in Courtroom G, 15th Floor, San Francisco before Chief Magistrate Judge Joseph C. Spero; and

2. Defendants shall file no response to Plaintiffs' Motion.

IT IS SO ORDERED.

DATED: February 8, 2016

